

**From:** CLK Council Info  
**Sent:** Wednesday, July 20, 2016 7:54 AM

**Subject:** Budget Speaker Registration/Testimony

Name Timothy Burr Jr  
Phone (530) 400-9061  
Email tburr@lyft.com  
Meeting Date 07-20-2016  
Council/PH Committee Budget  
Agenda Item Bill 36  
Your position on the matter Oppose  
Representing Organization  
Organization Lyft  
Do you wish to speak at the hearing? Yes

Lyft Testimony in Opposition to Bill 36, Council Draft 2  
Honolulu City Council, Budget Committee  
Wednesday, July 20, 2016

Chairperson Kobayashi and Members of the Council Budget Committee:

Written  
Testimony

My name is Timothy Burr Jr. and I am the Senior Manager of Public Policy for Lyft, respectfully testifying today in opposition to Bill 36, Council Draft 2. We believe the current measure includes many changes that move us towards a workable framework for TNC regulations. However because of the many recent major changes to the proposed measure, we ask that this Committee give the community and stakeholders more time to review Bill 36, Council Draft 2.

We at Lyft believe in working collaboratively towards developing an appropriate regulatory framework to allow for the successful continuing operation of Lyft and other ridesharing platforms. Lyft's vision is that transportation can be more efficient and more accessible if all members of the community participate in peer-to-peer transportation. The long-term hope is that most Honolulu drivers will eventually provide rides via the Lyft platform while on the way to work, to the store, or to visit a friend. This will not only result in reducing road congestion, but can also help reduce air pollution and instances of driving under the influence of drugs or alcohol. These principles and goals are what make TNCs vastly different from other transportation providers.

Bill 36, Council Draft 2 makes many advances from previous proposed pieces of legislation

RECEIVED  
CITY CLERK  
O & C OF HONOLULU  
2016 JUL 20 AM 8:13

B

by adopting a separate category for Transportation Network Companies. We are encouraged to develop rules within this framework that is separate from pre-existing categories. Below are a few of the specific concerns we have with the current draft of Bill 36 and which we request more time to address:

**Barriers to Entry For Part-Time Drivers: Sec 12-\_\_\_\_.3**

In order to achieve the large-scale benefits that peer-to-peer transportation offers, there must be a critical mass of casual drivers who are willing and able to give rides to fellow citizens. These drivers include some who provide several rides per day and others (casual drivers) who provide relatively infrequent rides. To this end, it is important to ensure that any regulatory framework for TNCs recognize the significant differences between existing forms of ground transportation and peer-to-peer transportation so that there are not unnecessary barriers to the participation of safe, responsible drivers on ridesharing platforms like Lyft.

The current proposal imposes several significant barriers to entry that will effectively filter out drivers from applying, especially casual drivers. The proposed multiple steps, licenses and the costs necessary to provide peer-to-peer transportation are far too burdensome for a casual driver who will provide occasional rides. In essence, this measure sets a steep bar for transportation network companies to operate. The ability to recruit drivers including casual drivers is critically important for the peer-to-peer transportation model to be effective.

**Trade Dress: Sec 12-\_\_\_\_5**

Lyft agrees and recognizes there is a public interest in making TNC vehicles easy to identify for both passengers and enforcement officials. However, Lyft feels these concerns can be achieved without permanently affixing anything to the driver's vehicle and through a trade dress requirement that permits removable trade dress. Lyft proposes the following be taken into consideration as a solution:

1. Drivers shall display the trade dress of the TNC at all times when active in the application. This will allow enforcement officials to identify a TNC vehicle that is actively accepting rides;
2. The TNC must display to all passengers in the application a photo of the vehicle and the license plate number approved for use by the drivers; and
3. Drivers must be prepared to demonstrate through the application the vehicles they are approved to drive.

The adoption of these requirements will allow both the passengers and the enforcement officials the ability to identify a TNC vehicle. Lyft prefers this type of approach rather than affixing a sticker or other identifier permanently to a vehicle because this allows a driver to use their vehicle for its primary personal use without permanent identifying stickers on their bumpers. It also allows for a process in which a driver could change the vehicle they drive under the TNC platform. Using the trade dress as a means to identify the approved vehicle is the most reliable approach for both passengers and enforcement officials.

**Driver Certificate: Sec 12-\_\_\_\_5**

Rather than requiring a physical paper copy of a driver's certificate, Lyft requests that drivers be able to utilize a digital certificate. Using the application as a means to identify the approved driver is the most reliable approach for both passengers and enforcement officials. Once a ride is matched, the application provides the passenger with a photograph of the driver, a photograph of the vehicle, the license plate, driver name, and on a real time basis tracks the driver location. It is in the best interest of the passenger to have the

identification of the vehicle be through the application, which can serve as a single source of truth and will ensure a digital history of any particular trip.

As this process of developing new regulations continues, Lyft will work with Councilmembers and other stakeholders to craft strong comprehensive regulations that protects consumers, and allows the ridesharing industry to serve all residents of Honolulu equally.

Thank you for this opportunity to testify and your consideration.

Sincerely,

Timothy Burr, Jr.  
Senior Public Policy Manager

Testimony  
Attachment  
Accept Terms and Agreement 1

